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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,191	07/06/2001	Masaya Nozawa	401297	2703

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EXAMINER

THOMAS, BRANDI N

ART UNIT PAPER NUMBER

2873

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,191

Applicant(s)

NOZAWA ET AL.4

Examiner

Brandi N Thomas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 3/17/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Detailed Action.

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DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. (5886836) in view of Kimura et al. (5812189).

Regarding claim 1, Sasaki et al. discloses a lens barrel of a camera, in figure 5, comprising: a plurality of cylindrical bodies (12, 16, 19, and 20) expandable in a multistage fashion; an optical lens system constituted by a plurality of lens groups (L1 and L2) disposed along an optical axis (figure 5), all of said plurality of lens groups being accommodated in a leading cylindrical body (10), among said plurality of cylindrical bodies (12, 16, 19, and 20) except that it does not show a driving source, wherein said optical lens system comprises at least two fixed lens groups and at least one movable lens group movable along the optical axis upon receiving a driving force of said driving source. Kimura et al. shows that it is known to provide a driving source, wherein said optical lens system comprises at least two fixed lens groups (1001 and 1003) and at least one movable lens group (1002) movable along the optical axis upon receiving a driving force of said driving source for moving the zoom lens to the position stored

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in the memory means (col.13, lines 31-35 and col. 15, lines 15-25) (figures 17 and 18).

Therefore it would have been obvious to someone of ordinary skill in the art at the time the invention was made to combine the teaching of Sasaki et al. with the driving force, fixed lens, and movable lens of Kimura et al. for the purpose of for moving the zoom lens to the position stored in the memory means (col.13, lines 31-35 and col. 15, lines 15-25) (figures 17 and 18).

Regarding claim 2, Kimura et al. discloses wherein said movable lens group (1002) is disposed between said two fixed lens groups (1001 and 1003) (col. 13, lines 32-35) (figure 17).

Regarding claim 3, Sasaki et al. discloses a threaded shaft (80b) but does not specifically disclose a movable lens frame and a rotary driving section. However, Kimura et al. discloses a movable lens group (1002), but does not specifically disclose a movable lens frame (77), however it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a mount or holder for the purpose of supporting the movable lens; and a rotary driving section for supplying a rotary force to said threaded shaft to rotate said movable lens group along the optical axis direction for compensating image blurring (col. 15, lines 15-25).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nozawa et al. (6575642 B2) discloses a lens barrel, which can carry out barrier opening/closing operations and lens moving operations of an optical lens system.

Shirie (5130851) discloses a zoom lens device, which is ideal for use in a video camera.

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Response to Arguments

5. Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N Thomas whose telephone number is 571-272-2341. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BNT

BNT
April 19, 2004

R. Mack
RICKY MACK
PRIMARY EXAMINER